

Subdivision Regulation Amendment No.: 14-01
Concerning: Platting requirements – exceptions –
Rural Village Overlay zones
Draft No. & Date: 2 – 5/15/14
Introduced: May 22, 2014
Public Hearing:
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Council President Rice and Councilmember Floreen

AN AMENDMENT to the Subdivision Regulations to:

- Exempt certain small commercial additions and the reconstruction or replacement of certain existing buildings in Rural Village Overlay zones from certain platting requirements

By amending the following section of County Code Chapter 50:
Section 50-9. Exceptions to platting requirements.

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by introduced Subdivision Regulation Amendment.</i>
[Single boldface brackets]	<i>Deleted from existing law by introduced Subdivision Regulation Amendment.</i>
<u>Double underlining</u>	<i>Added to the Subdivision Regulation Amendment by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the Subdivision Regulation Amendment by amendment.</i>
* * *	<i>Existing law unaffected by Subdivision Regulation Amendment.</i>

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following Ordinance:

1 **Sec. 1. Section 50-9 is amended as follows:**

2 **50-9. Exceptions to platting requirements.**

3 Recording of a subdivision plat under this Chapter is not required for:

4 * * *

5 (i) *Certain commercial properties adjoining state highways in*
6 *Community Legacy Plan Areas.* An application for a building permit
7 for an addition to a building on commercially zoned property:

8 (1) adjoining a state highway;

9 (2) located [within] in a state-approved Community Legacy Plan
10 Area on October 30, 2012;

11 (3) with less than 10,000 square feet of gross floor area on October
12 30, 2012 where [subsequent] later building permits
13 cumulatively allow [inincreases] increases in total gross floor
14 area [by] of less than 2,000 square feet; and

15 (4) that includes a description and locational survey drawing of the
16 lot and proposed structure on a 1 inch equals 50-foot scale base
17 map of [Montgomery] the County in any building permit
18 application [that demonstrates] which shows that the additional
19 floor area will not extend into any adopted master plan road
20 right-of-way.

21 (j) *Certain commercial properties adjoining state highways in Rural*
22 *Village Overlay Zones.* An application for a building permit for an
23 addition to, or to reconstruct or replace, a building on commercially
24 zoned property:

25 (1) adjoining a state highway;

26 (2) located in a Rural Village Overlay zone;

- (3) with less than 10,000 square feet of existing gross floor area where later building permits cumulatively allow net increases in total gross floor area of less than 2,000 square feet;
- (4) that includes a description and locational survey drawing of the lot and proposed structure on a 1 inch equals 50-foot scale base map of the County which shows that the additional floor area will not extend into any adopted master plan road right-of-way; and
- (5) that is submitted within one year after demolition or destruction of the previous building was substantially completed.

Sec. 2. Effective date. This ordinance takes effect 20 days after the date of Council adoption.

Approved:

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Date